United Nations A/55/585

General Assembly

Distr.: General
28 November 2000
English
Original: Arabic

Fifty-fifth session
Agenda item 98

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Report of the Second Committee

Rapporteur: Mr. Ahmed **Amaziane** (Morocco)

I. Introduction

1. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fifth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 15th and 34th meetings, on 17 October 2000 and 15 November 2000. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.2/55/SR.15 and 34). Attention is also drawn to the general debate held by the Committee at its 3rd to 7th meetings, on 2, 3 and 5 October (see A/C.2/55/SR.3-7).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Note by the Secretary-General on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan (A/55/84-E/2000/16);

(b) Letter dated 5 May 2000 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the General Assembly, transmitting the Declaration and the Programme of Action adopted by the South Summit of the Group of 77, held at Havana from 10 to 14 April 2000 (A/55/74).

00-76610 (E) 011200

4. At the 15th meeting, on 17 October, the Executive Secretary of the Economic and Social Commission for Western Asia made an introductory statement (see A/C.2/55/SR.15).

II. Consideration of draft resolutions A/C.2/55/L.7 and Rev.1

5. At the 19th meeting, on 20 October, the representative of Egypt, on behalf of Algeria, Bangladesh, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Oman, the Sudan, Tunisia, the United Arab Emirates and Palestine, introduced a draft resolution entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources". Subsequently, Brunei Darussalam, Morocco, Qatar and Yemen joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* its resolution 54/230 of 22 December 1999 and Economic and Social Council resolution 2000/31 of 28 July 2000,

"*Reaffirming* the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

"*Guided by* the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

"*Reaffirming* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

"*Expressing its concern* at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

"*Aware* of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

"1. *Takes note* of the report transmitted by the Secretary-General;

"2. *Calls for* an immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the principle of land for peace, and for the achievement of a final settlement on all tracks;

"3. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

"4. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the Occupied Palestinian Territory, including Jerusalem, and in the occupied Syrian Golan;

"5. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

"6. *Requests* the Secretary-General to report to it at its fifty-sixth session on the implementation of the present resolution, and decides to include in the agenda of its fifty-sixth session the item entitled 'Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources'."

6. At the 34th meeting, on 15 November, the Chairman of the Committee, Alexandru Niculescu (Romania), informed the Committee of the outcome of the informal consultations held on draft resolution A/C.2/55/L.7 and drew the Committee's attention to a revised draft resolution entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" (A/C.2/55/L.7/Rev.1), submitted by the sponsors of draft resolution A/C.2/55/L.7 and Cuba, Malta and Saudi Arabia.

7. At the same meeting, the Committee adopted draft resolution A/C.2/55/L.7/Rev.1 by a recorded vote of 131 to 2, with 3 abstentions (see para. 11). The voting was as follows:[1]

In favour:

Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, the Former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great

[1] The delegations of Bangladesh, Lebanon and Mozambique stated that, had they been present, they would have voted in favour.

Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Kazakhstan, Marshall Islands, Micronesia (Federated States of).

8. Before the adoption of the draft resolution, the representative of Egypt made a statement (see A/C.2/55/SR.34).

9. Before the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Israel and the United States of America; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of France (on behalf of the States Members of the United Nations that are members of the European Union) and Japan (see A/C.2/55/SR.34).

10. The observer for Palestine also made a statement (see A/C.2/55/SR. 34).

III. Recommendation of the Second Committee

11. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 54/230 of 22 December 1999 and Economic and Social Council resolution 2000/31 of 28 July 2000,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

[2] United Nations, *Treaty Series*, vol. 75, No. 973.

Aware of the additional detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Reaffirming the need for an immediate resumption of negotiations within the Middle East peace process, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the principle of land for peace, and for the achievement of a final settlement on all tracks,

1. *Takes note* of the report transmitted by the Secretary-General;[3]

2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the Occupied Palestinian Territory, including Jerusalem, and in the occupied Syrian Golan;

4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiations between the Palestinian and Israeli sides;

5. *Requests* the Secretary-General to report to it at its fifty-sixth session on the implementation of the present resolution, and decides to include in the agenda of its fifty-sixth session the item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

[3] A/55/84-E/2000/16, annex.